

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

EB Publishing, Inc.)	
Plaintiff,)	
)	
v.)	Case No. 1:19cv00589 (LMB/MSN)
)	
ApplianceRepair.net, <i>et al</i>)	
Defendants.)	

Plaintiff's Motion to Dismiss Without Prejudice

Comes Now the Plaintiff, by counsel, and requests that this Court enter an Order of Voluntary Dismissal without Prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2), with each party to bear its own attorneys' fees and costs as supported by the Memorandum submitted with this Motion.

"ROSEBORO NOTICE"¹

Pursuant to Local Civil Rule 7(K) and Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), undersigned counsel advises Plaintiff of the following:

(1) The Defendant is entitled to file a response opposing the motion; any such response must be filed within twenty (20) days of the date on which this Motion to Dismiss was filed.

(2) The Court could dismiss the action on the basis of the Plaintiff's moving papers if the Defendant does not file a response.

(3) The Defendant must identify all facts stated by Plaintiff with which the Defendant disagrees and must set forth the Defendant's version of the facts by offering affidavits (written statements signed before a notary public and under oath) or by filing sworn statements (bearing a certificate that is signed under penalty of perjury).

(4) The Defendant is also entitled to file a legal brief in opposition to the one filed by the Plaintiff.

Dated: June 28, 2019.

¹ Counsel is including this notice, although the motion effectively benefits the Defendant.

Respectfully Submitted,

EB Publishing
by counsel

/s

Jonathan Westreich, Esq.
VSB No. 37393
Greenberg & Lieberman, LLC (of counsel)
604 Cameron Street
Alexandria, Virginia 22314
703-299-9050 / fax: 703-548-1831
jonathan@westreichlaw.com

and

Stevan Lieberman, Esq.
(Not admitted in Virginia)
Greenberg & Lieberman, LLC
1775 Eye Street, #1150
Washington, D.C. 20006
(202) 625-7000, Fax: 202-625-7001
Stevan@aplegal.com

Counsel to the Plaintiff